

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**RAMON MODESTO,**

Plaintiff

v.

HECTOR FIGUEROA, et. al.,

## Defendants

**Civil Action No. 15-CV-495-(KNF) (RA)**

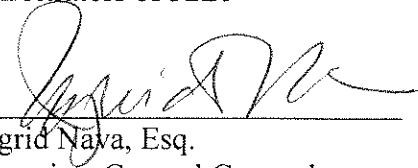
**REPLY OF HECTOR FIGUEROA, PRESIDENT OF SEIU 32BJ, ET. AL. TO  
PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION TO DISMISS**

Defendant Hector J. Figueroa, President of SEIU Local 32BJ (Local 32BJ or the Union) seeks to address only one point in the Plaintiff's Affirmation In Opposition To Defendants Securitas, Union and FQM Motions to Dismiss (Plaintiff's Affirmation). In paragraph two of Plaintiff's Affirmation plaintiff states his belief that SEIU 32BJ (the Union) sought to confuse the court by including defendant Jusuf "Joe" Dzaferovic (Mr. Dzaferovic) "in the side of the defendant Union." The Union did not seek to confuse the court. The Union agrees with Plaintiff that Jusuf "Joe" Dzaferovic, who is an SEIU member and worked in the same building as the Plaintiff but for a different employer, is not "AN EMPLOYEE OR OFFICER OF THE UNION BUT AN EMPLOYEE OF DEFENDANT FIRST QUALITY MAINTENANCE.(sic)" As such, the Union reiterates here what is fully explained in the earlier memorandum, that Mr. Dzaferovic is not a proper Defendant.

Otherwise Defendants rely on arguments, and facts as presented, in the original Motion to Dismiss and Memorandum filed by Hector Figueroa, Presidents of SEIU32BJ et. al. in this matter.

Dated: New York, New York  
September 29, 2015

Respectfully submitted  
Attorney for party denominated as  
“Arbitrators of 32BJ”

A handwritten signature in black ink, appearing to read 'Ingrid Nava', is written over a horizontal line.

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